

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

ANTON GLENZ, et al., individually and on
behalf of all others similarly situated,

Plaintiff,

v.

RCI, LLC,

Defendant.

Civil Action No. 09-378 (PGS)

ORDER

WHEREAS, individual and representative plaintiffs Anton Glenz, Valentina Giacchi, Donna Moyer, and Dorothy Wood (collectively, “Plaintiffs”) and defendant RCI, LLC (“RCI” or “Defendant”), formerly known as Resort Condominiums International, LLC, appeared before the Court;

WHEREAS, the Court has before it Plaintiffs’ Motion for Final Approval of Class Action Settlement and Award of Attorneys’ Fees, Costs and Expenses and Incentive Awards [ECF No. 91], and proposed intervenor Emil Biendara’s Second Motion for Discovery [ECF No. 88], and Second Motion to Intervene [ECF No. 89];

WHEREAS, the Court held oral argument on the pending motions on December 6, 2012, and the Court was not satisfied that the settlement was fair, reasonable and adequate.

For the reasons set forth on the record at the hearing today it is on this 6th day of December, 2012 hereby ORDERED as follows:

1. Biendara’s Second Motion to Intervene and Second Motion for Discovery are

DENIED, with prejudice [ECF Nos. 88, 89];

2. Plaintiffs' Motion for Final Approval of Class Action Settlement and Award of Attorneys' Fees, Costs and Expenses is DENIED, without prejudice [ECF No. 91];
3. The Court will hold a hearing on January 14th, 2013, at 10:00 AM, at which the Court will hear testimony as to the fairness and reasonableness of the final approval of class action settlement and award.

12-6-12


PETER G. SHERIDAN, U.S.D.J.